IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

Bail Appl..No. 7298 of 2006()

CMP.9815/2006 of J.M.F.C.-I,NEDUMANGAD
CRIME NO.318/2006 OF PALODE POLICE STATION

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PETITIONER/ACCUSED:

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1. SANALKUMAR, S/O.SOMAN,
BLOCK NO.67, CHALLI MUKKU,
ANADU MURI, PERINGAMALA VILLAGE.

2. CHELLAPPAN, S/O.RAMAN,
KOLLAYIL KALAYIL THOTTINKARA VEEDU,
CHIRAVOOR MURI, CHITHARA VILLAGE.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA REP.BY
PUBLIC PROSEUCUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO.7298 OF 2006

Dated this the 8th day of December, 2006.

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who are accused Nos.1 and 2 in Crime No.318 of 2006 of Palode Police Station for offences punishable under Sec.8 (1) and (2) of the Abkari Act, for having been found in possession of two liters of illicit arrack on 26.11.2006, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

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